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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

1033-SS00392

Application Number

10/602,552

Filed

2003-06-24

First Named Inventor

Brian Gonsalves

Art Unit

2617

Examiner

DANIEL JR, WILLIE J

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

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assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

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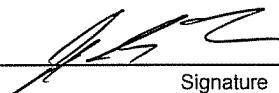
attorney or agent of record.

Registration number 38342

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attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34



Signature

Jeffrey G. Toler

Typed or printed name

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Telephone number

2-11-2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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*Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brian Gonsalves, et al.

Title: WIRELESS WIDE AREA NETWORK CHARGER AND CRADLE

App. No.: 10/602,552

Filed: June 24, 2003

Examiner: Daniel Jr., Willie J.

Group Art Unit: 2617

Customer No.: 60533

Confirmation No.: 1238

Atty. Dkt. No.: 1033-SS00392

MS: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REMARKS IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Dear Sir:

In response to the Final Office Action mailed November 14, 2008 (hereinafter, "Office Action") and further pursuant to the Notice of Appeal and Pre-Appeal Brief Request for Review submitted herewith, Applicants respectfully request review and reconsideration of the Office Action in view of the following issues.

1. The Asserted Combination of Uchiyama, Alexis, and Jagers is Missing an Element of Each of Claims 1, 3-4, 9-12, 18-19, 21-23, 25-27, 34-35, 37-39, 42-45, 53-60, 62-68, and 70-73

Applicants traverse the rejections of claims 1, 3-4, 9-12, 18-19, 21-23, 25-27, 34-35, 37-39, 42-45, 53-60, 62-68, and 70-73, under 35 U.S.C. §103(a), as being anticipated by U.S. Patent No. 6,766,175 B2 ("Uchiyama") in view of U.S. Application Publication No. 2004/0072544 A1 ("Alexis") in further view of U.S. Application Publication No. 2002/0119800 A1 ("Jagers"). The cited portions of Uchiyama, Alexis, and Jagers, individually or in combination, fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Uchiyama, Alexis, and Jagers do not disclose or suggest an apparatus comprising a digital interface module configured to receive data from a USB interface and to determine when the

data is to be provided to one of a wireless wide area network interface, a display control module, and a call control module, where the digital interface module is further configured to monitor information received at a wireless wide area network telephone interface to determine when received data is to be provided to one of a universal serial bus (USB) interface and a standardized input/output media interface, as in claim 1.

The Office Action admits the combination of Uchiyama and Alexis does not explicitly disclose “having the feature(s) a universal serial bus (USB) interface configured to receive data from an external device, wherein the digital interface module is configured to receive the data from the USB interface and to determine when the data is to be provided to one of the wireless wide area network interface, the display control module and a call control module, where the digital interface module is further configured to monitor information received at the wireless wide area network telephone interface to determine ... when received data is to be provided to one of the USB interface and a standardized input/output media interface.” *See* Office Action, pages 6-7.

In further contrast to claim 1, the cited portions of Jagers describe an I/O interface controller 182 that sends video signals to the display 192 and is also coupled to USB Hub 193, which in turn is coupled to external I/O devices. *See* Jagers at par. 28 and Fig. 1B. The I/O interface controller of Jagers does not determine when data is to be provided to one of a wireless wide area network interface, a display control module and a call control module. Further, the I/O interface of Jagers does not monitor the information received at a wireless wide area network telephone interface to determine when received data is to be provided to one of the universal serial bus (USB) interface and a standardized input/output media interface. Therefore, the cited portions of Jagers fail to disclose or suggest at least one element of claim 1.

Further, the cited portions of Uchiyama, Alexis, and Jagers do not disclose or suggest a display control module configured to monitor information received at the wireless wide area network telephone interface at an alphanumeric keypad and at a digital interface module. The Office Action admits that Uchiyama does not specifically disclose having “a display control module configured to receive the outgoing text messages and to determine whether the outgoing text message should be visually displayed at the display and to monitor information received at the wireless wide area network telephone interface at an alphanumeric keypad and a digital interface module.” *See* Office Action, page 4. The Office Action asserts that Alexis discloses

the features of the display control module. *See* Office Action, page 5. The Office Action does not cite portions of Jagers for disclosing this element of claim 1. The cited portions of Alexis describe displaying data stored in memory on a display connected to base unit 204. *See* Alexis, paragraph 0079. The base unit of Alexis does not monitor information received at a wireless wide area network interface at an alphanumeric keypad and a digital interface module because the alphanumeric keypad is for making and receiving calls without the handset. *See* Alexis, paragraph 0049. That is, the alphanumeric keypad of Alexis is a handset interface, not a wireless wide area network interface. Claim 1 is thus allowable for this additional reason. Claims 3, 4, 9-12, 18, 19, and 53-60 depend from claim 1. Accordingly, claims 3, 4, 9-12, 18, 19, and 53-60 are also allowable, at least by virtue of their dependence from claim 1.

The cited portions of Uchiyama, Alexis, and Jagers, individually or in combination, fail to disclose or suggest the specific combination of claim 27. The Office Action admits that the combination of Uchiyama and Alexis does not disclose “monitoring the information included in an outgoing text communication signal at a digital interface module coupled to a first interface of a base station to determine when the monitored information should be provided to one of a universal serial bus (USB) interface or a standardized input/output media interface,” as in claim 27. *See* Office Action, page 19. In further contrast to claim 27, the cited portions of Jagers describe an I/O interface controller 182 that sends video signals to the display 192 and is also coupled to USB Hub 193, which in turn is coupled to external I/O devices. *See* Jagers at paragraph 28 and Fig. 1B. The I/O interface controller of Jagers does not monitor outgoing text communication signals and determine when the monitored information should be provided to a USB interface or a standardized input/output media interface. Therefore, the cited portions of Jagers do not disclose or suggest monitoring the information included in an outgoing text communication signal at a display control module coupled to a first interface of a base station to determine when the monitored information should be provided to one of a universal serial bus (USB) interface or a standardized input/output media interface, as in claim 27. Hence, claim 27 is allowable. Claims 34-36 and 62-68 depend from claim 27. Accordingly, claims 34-36 and 62-68 are also allowable, at least by virtue of their dependence from claim 27.

The cited portions of Uchiyama, Alexis, and Jagers, individually or in combination, fail to disclose or suggest the specific combination of claim 37. For example, the cited portions of Uchiyama, Alexis, and Jagers do not disclose or suggest initiating from a base station a data call

to be made from a wireless wide area network telephone in response to receiving an outgoing data call request signal from a wireless local area network and transferring data communicated from an external device through a USB interface to at least one of an interface module, a display control module or a call control module, as in claim 37. The Office Action admits that the combination of Uchiyama and Alexis does not disclose “transferring the data communicated from the external device through the USB interface to at least one of an interface module, a display control module or a call control module.” *See* Office Action, page 24.

In further contrast to claim 37, the cited portions of Jagers describe a wireless communication device docking station that can be connected to an external data connection. *See* Jagers, paragraph 00031. The cited portions of Jagers disclose determining if the dock is connected to an external data connection, but does not disclose transferring data from the external data connection to the wireless communication device. *See* Jagers, paragraph 0031. In addition, the cited portions of Jagers disclose that if the dock is connected to an external data connection, WAP data is directed from dock I/O interface controller instead of the RF transceiver of the wireless communication device. *See* Jagers, paragraph 0031. The cited portions of Jagers do not allow WAP data to be received from the wireless communication device while the docking station is connected to the external data connection. Thus, a call is not allowed to be made from the wireless communication device when the docking station is connected to an external data connection. Therefore, the cited portions of Jagers do not disclose or suggest initiating from the base station a data call to be made from a wireless wide area network telephone in response to receiving an outgoing data call request signal from a wireless local area network and transferring data communicated from an external device through the USB interface to at least one of an interface module, a display control module or a call control module, as in claim 37. Hence, claim 37 is allowable. Claims 38, 39, 42-45, and 70-73 depend from claim 37. Accordingly, claims 38, 39, 42-45, and 70-73 are also allowable, at least by virtue of their dependence from claim 37.

2. The Asserted Combination of Uchiyama, Alexis, and Jagers is Missing an Element of Each of Claims 24, 36, and 46

Applicants traverse the rejections of claims 24, 36, and 46, under 35 U.S.C. §103(a), as being anticipated by Uchiyama in view of Alexis in further view of Jagers and U.S. Application Publication No. 2002/0111190 A1 (“Harrison”). Claims 24, 36 and 46 depend from claims 1,

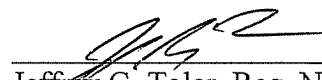
27, and 37 respectively. As discussed above, the cited portions of Uchiyama, Alexis, and Jagers fail to disclose or suggest at least one element of each of claims 1, 27, and 37. The cited portions of Harrison do not disclose or suggest the elements of claim 1, 27, and 37 not disclosed or suggested by the combination of Uchiyama, Alexis, and Jagers. Instead, the cited portions of Harrison describe a base station that allows data from a PDA to be downloaded for back up storage in case the PDA becomes subsequently damaged. *See* Harrison, paragraph 0002. The cited portions of Harrison fail to disclose or suggest determining when data is to be provided to one of a wireless wide area network interface, a display control module, and a call control module (as in claim 1); or monitoring information included in an outgoing text communication signal at a digital interface module coupled to the first interface of the base station to determine when the monitored information should be provided to one of a universal serial bus (USB) interface or a standardized input/output media interface (as in claim 27); or transferring the data communicated from the external device through the USB interface to at least one of an interface module, a display control module or a call control module (as in claim 37). Hence, claims 24, 36, and 46 are allowable.

CONCLUSION

Applicants have pointed out specific elements of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims. The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application. The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

2-11-2009
Date


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